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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/618,662	07/18/2000	Rufus H. Carswell	Carswell.utl	8764

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HINKLE & O'BRADOVICH, LLC
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EXAMINER

CHAMPAGNE, DONALD

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 10/03/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/618,662

Applicant(s)

CARSWELL ET AL.

Examiner

Donald L. Champagne

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2&3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Golden et al.
3. Golden et al. teaches (independent claims 8 and 20) a method for managing online promotions, and a method for preventing abusive use of online promotions, the method for managing online promotions comprising: using a first computer, *coupon issuer 1*, to distribute a plurality of promotions on a network, wherein the promotions are adapted to be downloaded by a plurality of computers, *consumer's PC 3*, tracking each of the plurality of promotions that are downloaded on one or more of the plurality of computers/*consumer's PC 3*, and identifying and terminating attempts to download any one of the plurality of promotions more than once at any one of the plurality of computers/*consumer's PC 3* (col. 3 line 59 to col. 4 line 8). For the method for preventing abusive use of online promotions (claim 20), the "promotion unique identifier" is the (coupon) *unique serial number* (col. 4 line 18); the "security software" is *the consumer's resident software* (col. 5 lines 54-57), which also entails checking the printed promotion for copying".
4. Golden et al. also teaches: claims 9-10, where the sites of *service database 2* (col. 2 line 48, col. 3 line 67, col. 4 lines 2-3 and col. 5 lines 64-66) reads on a web site; claims 11 and 16 (col. 5 lines 54-57); claims 12-13 (col. 4 line 18); claims 14-15, where the identified "component of each of the plurality of computers" is the *household profile information 41* (col. 5 lines 38-39) taken from the *household profile database 64* (col. 5 lines 50-51); claim 17, where the "device" is the sites of *service database 2*; claim 18 (col. 4 line 65); and claim 19, where the "second unique identifier" is that of the user/consumer (col. 4 lines 20-21).
5. Golden et al. teaches (independent claim 1) a system for issuing online promotions, comprising: a first computer, *service database 2* (col. 3 line 67) connected to a network

Art Unit: 3622

(*online*, col. 3 line 61) and having a memory (storage for *coupon instructions 19*); at least one additional computer, *consumer's PC 3*, having a memory; and a first process that resides in the memory of the first computer (col. 3 line 59 to col. 4 line 8).

6. Golden et al. also teaches: claim 2-3 (col. 5 lines 43-63); claim 4, where the "at least one additional computer", *consumer's PC 3*, is identified by the *household profile information 41* (col. 5 lines 38-39) taken from the *household profile database 64* (col. 5 lines 50-51); claims 5-6, where the "data structure" is the *coupon* (col. 4 lines 27-31); and claim 7, where the "device" is the *coupon issuer 1*, which accomplishes the disallowing function by downloading coupon instructions (col. 4 lines 54-55).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 703-308-3331. The examiner can normally be reached from 6:30 AM to 5 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at donald.champagne@uspto.gov, and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 703-746-5536.
8. The examiner's supervisor, Eric Stamber, can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.
9. **ABANDONMENT** – If examiner cannot by telephone verify applicant's intent to continue prosecution, the application is subject to abandonment six months after mailing of the last Office action. The agent, attorney or applicant point of contact is responsible for assuring that the Office has their telephone number. Agents and attorneys may verify their registration information including telephone number at the Office's web site, www.uspto.gov. At the top of the home page, click on Site Index. Then click on Agent & Attorney Roster in the alphabetic list, and search for your registration by your name or number.

25 September 2003



Donald L. Champagne
Examiner
Art Unit 3622